

I, Trisha M.A. Kovac, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this continuation in support of an application for a search warrant to search a cellular telephone maintained in FBI evidence, seized during the arrest of JESUS GAYTAN-GARCIA on March 4, 2024, in Chicago, IL. The device, described as a blue Apple iPhone in a red case, seized from the person of subject JESUS GAYTAN-GARCIA, herein referred to as **CELL PHONE 1** for evidence, contraband, fruits, and instrumentalities of crimes in violation of 18 U.S.C. § 1163, theft from an Indian tribal organization, has been committed by persons known and unknown by investigators.

2. This investigation has revealed that there is probable cause to believe that **CELL PHONE 1** contains evidence that that GAYTAN-GARCIA met with an employee of the Four Winds Casino-Hartford location on July 30, 2023, in Gary, Indiana, to receive \$700,000 obtained fraudulently by theft and deception via a phone scam.

3. I have been employed as a Special Agent with the Federal Bureau of Investigation ("FBI") for fifteen years. During this time, I have investigated federal violations concerning crimes of violence, bank robberies, fraud, child exploitation, and crimes involving Indian Country. Throughout my law enforcement career, I have gained experience through everyday work related to these investigations. I have received training specific to the use of communication records and information,

including location information, associated with those investigations as is requested in this continuation to identify and locate subjects involved in criminal activity.

4. As a Special Agent, I am an “investigative or law enforcement officer of the United States” within the meaning of 18 U.S.C. § 2510(7), and I am empowered by law to conduct investigations and make arrests of offenses enumerated in 18 U.S.C. § 2516. I am a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

5. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

6. Based on the facts set forth in this affidavit, there is probable cause to believe that a violation of 18 U.S.C. § 1163, theft from an Indian tribal organization, has been committed by JESUS GAYTAN-GARCIA, and there is also probable cause to search **CELL PHONE 1** described in Attachment A, for evidence of this crime as further described in Attachment B.

7. As set forth herein, probable cause exists to believe JESUS GAYTAN-GARCIA committed violations of 18 U.S.C. § 1163, and that evidence, contraband, fruits, and instrumentalities of crimes are within **CELL PHONE 1**.

8. The items to be searched for and seized, more specifically detailed in Attachment B, include information regarding financial transactions, wire transfers,

and currency; firearms; valuable items purchased from the proceeds of the crime; and information regarding property purchases.

9. Since this continuation is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that evidence and instrumentalities in violation of 18 U.S.C. § 1163 are presently located in **CELL PHONE 1**.

### **PROBABLE CAUSE**

#### **Hartford Casino Theft**

10. On July 30, 2023, at approximately 1:23 p.m., a call from phone number +52 998 7307909, came into the main switchboard of the Hartford location of the Four Winds Casino, located at 68600 Red Arrow Highway, Hartford, MI 49057. This casino is located on land held in trust for the use and benefit of the Pokagon Band of Potawatomi Indians (“Pokagon Band”), that is Indian Country. *See* 18 U.S.C. § 1151.

11. According to open-source searches, +52 998 7307909 is a Mexican telephone number with a Cancun area code. The caller stated that his name was Charles Martinez, Tribal Chairman of the Pokagon Band, and that he needed to speak with the cage manager.<sup>1</sup> The caller was then briefly put on hold by the main

---

<sup>1</sup> Later investigation revealed that the caller was not the tribal chairperson of the Pokagon Band. The current tribal chairperson of the Pokagon Band is named Rebecca Richards, not Charles Martinez.

switchboard and transferred to the cage at the Hartford Casino. The cage manager, hereinafter referred to as D.Y. picked up the phone.

12. While D.Y. was on the phone with the person purporting to be the tribal chairman calling from the +52 998 7307909 phone number, the cellular telephone assigned to the cage at Hartford Casino began receiving texts from phone number 973-359-5185. The sender of these texts claimed to be the Hartford Casino cage director, L.M., who was out of town.<sup>2</sup> L.M. is D.Y.'s boss at the Hartford Casino. While D.Y. was still on the phone with the person claiming to be to the tribal chairman, D.Y. began replying to the text messages coming into the Hartford Casino cage phone from the person claiming to be L.M. In these text messages, the person purporting to be L.M. told D.Y. that he needed her help to make an urgent payment within the "next 20 min." The texter urged D.Y. to follow the instructions of the caller and that she needed to be "discreet" in handling the money.

13. The caller from phone number +52 998 7307909 indicated to D.Y. that he thought the connection was bad and asked for a cellular telephone number. D.Y. provided the telephone number for the cellular phone assigned to the cage, which the +52 998 7307909 number subsequently called directly. D.Y. then both spoke on the phone with the +52 998 7307909 caller and received text messages from "L.M." simultaneously on the same phone.

---

<sup>2</sup> Later investigation revealed that the texter was not L.M. and the 973-359-5185 is not associated to L.M.

14. While D.Y. is on the phone, a review of casino surveillance footage showed D.Y. opening the bank drawer in the cage. She then removes seven (7) bundles of money from the bank drawer and places the bundles into a large Michael Kors handbag. Surveillance footage shows D.Y. departing the cage at approximately 2:13 p.m. with the bag full of cage cash. Later investigation revealed that D.Y. walked out of the cage with approximately \$700,000 in U.S. currency. D.Y. left the cage cellular telephone behind, on which she had been talking to the +52 998 7307909 caller and texting "L.M." A coworker then called casino surveillance and explained that she just watched D.Y. leave the cage with a bag full of money.

15. Casino surveillance video recorded D.Y. on her personal cellular telephone at approximately 2:15 pm after exiting the cage. In a later interview, D.Y. reported to investigators that she then received a call from phone number +52 998 7307909 on her personal cell phone. She remained on the phone with this caller for approximately one (1) hour and 56 minutes.

16. D.Y. departed the casino property at approximately 2:18 p.m. Pokagon Tribal Police Department (PTPD) was contacted minutes later regarding the incident, and efforts were commenced to locate D.Y., who had departed the area in her 2014 Chevrolet Equinox.

17. At approximately 3:57 p.m. Eastern Time, 2:57 Central Time, D.Y.'s vehicle was observed on automated license plate readers at the Highway 12 and Interstate 65 near Gary Indiana, and a broadcast was made to Indiana State Police. The vehicle was shortly thereafter located at a Citgo gas station at 901 E. 5<sup>th</sup> Street,

Gary, IN. Law enforcement was able to locate D.Y. because she had contacted her supervisor, L.M. and told him where she was. L.M. then notified PTPD, who dispatched local police to the location. D.Y. was taken into custody.

18. During an interview of D.Y., she stated that she believed the individual calling from number +52 998 7307909 was the Pokagon Band tribal chairman. D.Y. explained that she remained on the phone with this person even after she departed the casino, and this person ordered her to read off every exit that she drove by. D.Y. stated she stopped at a Walmart in Benton Harbor, Michigan, and purchased a pre-paid phone under the instruction of the caller. A receipt for the purchase was located in the vehicle, and surveillance footage from the Walmart showed D.Y. covering the bag with the money inside her car with a piece of clothing while she entered the store, D.Y. purchased the phone, and departed, continuing on I-94 towards Indiana.

19. D.Y. stated the caller from phone number +52 998 7307909 initially told her to take exit 19 in Portage, IN, but she missed the exit. D.Y. then entered the toll road, I-80, and exited at Highway 12 in Gary, IN. The caller then instructed D.Y. to select a gas station, pull in, and tell him where it was. D.Y. estimated that she waited approximately 15 minutes to meet with the caller after providing him the location of the Citgo gas station, which was located at 901 E. 5<sup>th</sup> Avenue, Gary, IN. D.Y. was instructed to put her hazards on her vehicle so that she could be identified.

20. D.Y. said that she was parked next to the gas station building when a black Chrysler Pacifica, occupied by at least two males, pulled in by the gas pumps. D.Y. described the front passenger of the Chrysler Pacifica as a Hispanic male

approximately 37 years of age, clean-cut with a goatee. D.Y. said that he approached her vehicle. D.Y. was still on the phone with the caller, who asked D.Y. to describe the individual who approached her. She said that he was wearing a grey construction shirt with a picture of a black, red, and white symbol with lumber inside the symbol. D.Y. was then instructed to pull up next to the Chrysler Pacifica at the gas pumps, which she did. D.Y. then handed each bundle of money individually to the man wearing the grey construction shirt. D.Y. was on the phone throughout this encounter and was instructed by the caller to remain on the phone after the individuals departed, which she did for approximately 5 minutes. D.Y. observed the Chrysler Pacifica head Eastbound on Highway 20/12.

*Identification of Jesus GAYTAN-GARCIA*

21. Based upon this information, a search of automated license plate readers in the area for a black Chrysler Pacifica within this time frame returned a Chrysler Pacifica heading Eastbound on Hwy 12 and I-65, less than one mile from the Citgo gas station, bearing Illinois plate BX82038, registered to A.B., JESUS GAYTAN-GARCIA's wife at 5927 S. Keeler, Chicago, IL.

22. Separately, the black Chrysler Pacifica was located by an automated license plate reader heading Southbound on I-80 in the vicinity of Portage, IN at approximately 2:45 p.m., a little under 9 miles from the Citgo gas station, and again traveling Westbound on US12 and I-65 in the direction of the Citgo gas station at approximately 3:04 p.m. Central Time. Further automated license plate reader inquiries returned that the vehicle traveled from the Gary, IN, location, to I-80

freeway towards Illinois, heading Northbound on I-90/I-94 at the 63rd Street exit in the vicinity of Chicago, IL at approximately 3:56 p.m. Central Time. This matches the approximate time when D.Y. met with the unknown subjects at the Citgo gas station.

23. Late September 2023 searches of automated license plate reader systems for a Chrysler Pacifica bearing Illinois plate BX82038 indicated that the vehicle had traveled from Chicago to California and back to Chicago between September 19 and September 28, 2023. An inquiry of FBI databases for any law enforcement checks for the aforementioned plate returned results that Colorado State Patrol ran the plate for a traffic stop on September 26, 2023, at mile post 145 on I-76 in Logan County. The vehicle was traveling 109 mph in a 75-mph zone. Records and bodycam footage were formally requested from Colorado State Patrol, which provided information that the driver of the Chrysler Pacifica was Jesus GAYTAN-GARCIA, date of birth 08/XX/1980, and resident address 5927 S. Keeler, Chicago, IL, the same address as A.B. GAYTAN-GARCIA also gave cellular telephone number 773-715-7594 as his contact number. Information obtained from other accounts later indicated that this phone number belongs to A.B. Bodycam footage from the stop showed that the two adult occupants of the Chrysler Pacifica matched known photos of Jesus GAYTAN-GARCIA and A.B.

24. Google provided investigators with subscriber information for an email account gaytanj570@gmail.com, which open-source social media searches revealed was associated with Jesus GAYTAN-GARCIA. Google provided a name of Jesus



Gaytan and a telephone number of (312) 366-7203 and IP logs. An administrative subpoena to Comcast for IP 73.58.98.179 assigned on 07-14-2023 at 20:11:46 Z and 07-17-2023 at 18:20:26 Z returned the following subscriber information:

Subscriber Name: [A.B]  
Service Address: 5927 S KEELER AVE  
CHICAGO, IL 606294918  
Billing Address: 5927 S KEELER AVE  
CHICAGO, IL 606294918  
Telephone #: (773) 715-7594

25. Google also responded to a search warrant requesting geolocation information for gaytanj570@gmail.com on July 30, 2023, the day of the Hartford Casino heist. Analysis of the information provided by Google indicated that between 1:00pm and 2:00pm, the account headed east from near the address on S. Keeler in Chicago, traveling towards Indiana on I-90. Between 2:00pm and 3:00pm, the account travels towards Portage, IN. The account then travels back west and pings at 901 E. 5th Avenue, Gary, IN at 3:08pm, which was the approximate time when D.Y. met with the unknown subjects at the Citgo gas station.

26. Searches of law enforcement financial databases provided information that a “Jesus Gaytan,” date of birth 08/XX/1980, sent Western Union wire transfers providing an address of Jackson Street, Sunman, IN to Jalisco, Mexico, in the amounts of \$1,300 and \$1,826.70 on July 30 and July 31, 2023, respectively. The date of birth and driver’s license numbers are a match for GAYTAN-GARCIA. The telephone number for the sender of both transactions was listed as (312) 366-7203.

27. A search for (312) 366-7203 within tower dump search warrant returns from cell towers in Portage, IN, and Gary, IN, located near where the money was passed from D.Y. to the unknown subjects driving the Chrysler Pacifica on July 30, 2023, returned data hits on both locations within the AT&T information. This means that this cellular telephone assigned the number (312) 366-7203 was being used for data at these locations on the same day, around the time, of the Citgo gas station money exchange.

28. AT&T provided subscriber information for (312) 366-7203. AT&T records revealed that the user was “Jesus Gaitan,” but the billing party was a Jorge Cruz, who resided on W. Marquette Road in Chicago, IL<sup>3</sup>. Though I believe that this “Jesus Gaitan” is the same person as JESUS GAYTAN-GARCIA, the records do not provide additional identifiers or an address that affirms that they are the same person.

29. AT&T also responded to a search warrant requesting geolocation information for (312) 366-7203 on July 30, 2023. Analysis of the geolocation for this number indicates that it traveled eastbound from Chicago on July 30, 2023, and turned around near Portage, IN, stopping at the location of the Citgo gas station in Gary, IN, at the date and time that D.Y. met the unknown individuals and gave them

---

<sup>3</sup> I am aware of the full address on W. Marquette Road. I have omitted the exact location to protect the personal identifiable information of Jorge Cruz. I can provide the exact address to the Court upon request.

the money. Comparison to the Google results indicated that that the path and location times for (312) 366-7203 mirrored those of the Google account gaytanj570@gmail.com.

Execution of Residential Search Warrant

30. On February 28, 2024, the FBI, accompanied by Pokagon Tribal Police Detectives, executed a search warrant of 5927 S. Keeler in Chicago. Though GAYTAN-GARCIA's known vehicle, a black 2020 Chevrolet Silverado pickup, VIN 3GCPYEEK1LG243055, bearing Illinois plate 374005B, was observed at the residence, he had departed the location approximately 1:00 a.m. that morning.

31. Investigators located in a safe in the basement of the 5927 S. Keeler residence. Inside of this safe they found a bundle of \$100 bills with a wrapping reading, "SOFT COUNT, JUL 30 2023, HARTFORD," as pictured below. This is significant because the date July 30, 2023, is the same date of the Hartford Casino theft and the word "HARTFORD" matches the name of the Hartford Four Winds Casino, where the money was taken on July 30, 2023. A picture of that bundle is depicted below:



32. A.B. and GAYTAN-GARCIA's 23-year-old daughter, Y.G., were present during the search of the residence. Both participated in interviews with law enforcement on scene.

33. Y.G. told police that GAYTAN-GARCIA and A.B. were separated after becoming estranged in September 2023. Y.G. stated that GAYTAN-GARCIA's new phone numbers was (812) 209-1929. Y.G. further indicated to investigators that this phone number is associated with GAYTAN-GARCIA's WhatsApp account of "garcyajesus745." Y.G. also provided an additional phone number of (872) 301-9021 as belonging to GAYTAN-GARCIA. Y.G. showed her contacts for GAYTAN-GARCIA, as captured below:



34. Based upon this information, Y.G. would communicate with her father using both her cellular telephone function as well as utilizing end-to-end encryption applications like WhatsApp. The contact number of **812-209-1929** provided by A.G. will be further addressed below (see paragraph 46, *infra*). A.B. provided law enforcement with two other contact phone numbers for GAYTAN-GARCIA, one identified as **773-869-3166**, that will also be further addressed below (see paragraph 46, *infra*). Based on the information provided to law enforcement by A.B. and Y.G., it is likely that GAYTAN-GARCIA utilizes multiple phones as well as messaging applications to communicate. To obtain the information regarding the theft and what was done with money following the theft of the Hartford Casino, all phone communications and social media application records maintained on the phone, including WhatsApp and Facebook, in reference to GAYTAN-GARCIA's Facebook account mentioned earlier, need to be reviewed.

35. Y.G. told police that after late July 2023, her father, GAYTAN-GARCIA seemed to suddenly have a lot of money. She reported to investigators that in August 2023, GAYTAN-GARCIA purchased on trailer in Batesville, IN, and an additional trailer on S. Meridian St. in Sunman, IN in November 2023. GAYTAN-GARCIA paid approximately \$90,000 for both trailers. Based on the timing of the purchase of these trailers, and the totality of investigation thus far, I believe GAYTAN-GARCIA likely obtained these properties using funds derived from the casino theft.

36. Y.G. told investigators that A.B. and GAYTAN-GARCIA were in the process of titling both trailers in A.B.'s name. Y.G. also stated that GAYTANGARCIA lived at the Batesville location and intended to rent the trailer in Sunman. Y.G. admitted that she has traveled with GAYTAN-GARCIA to Indiana to handle matters regarding the trailers.

37. Investigators obtained a photograph of documentation regarding Y.G. shown as the purchaser of the Sunman property. The purchasing document is shown below. Based on this document, GAYTAN-GARCIA may have instead been working to title the properties in Y.G.'s name, not A.B.'s name, as reported by Y.G.

SECTION A - MOVING PERMIT			
Name of owner			
Address (number and street, city, state, and ZIP code)			
Make of mobile home	Year	Dimension	Date of issuance of permit (month, day, year)
Address of present location (number and street, city, state, and ZIP code)			Vehicle identification number
Address of new location (number and street, city, state, and ZIP code)			Affected parcel number

SECTION B - TITLE TRANSFER PERMIT			
Name of owner			
Address of owner (number and street, city, state, and ZIP code)			
Address of location of mobile home (number and street, city, state, and ZIP code)			
Make of mobile home	Year	Dimension	Date permit expires
LINCOLN PARK	1999	N/A	Vehicle identification number
Name of purchaser	Sale price		Affected parcel number
Y. GARCIA	0.00		Is purchase
Address of purchaser (number and street, city, state, and ZIP code)			
328 S. MERIDIAN STREET LOT 183 SUNMAN, IN 47041			

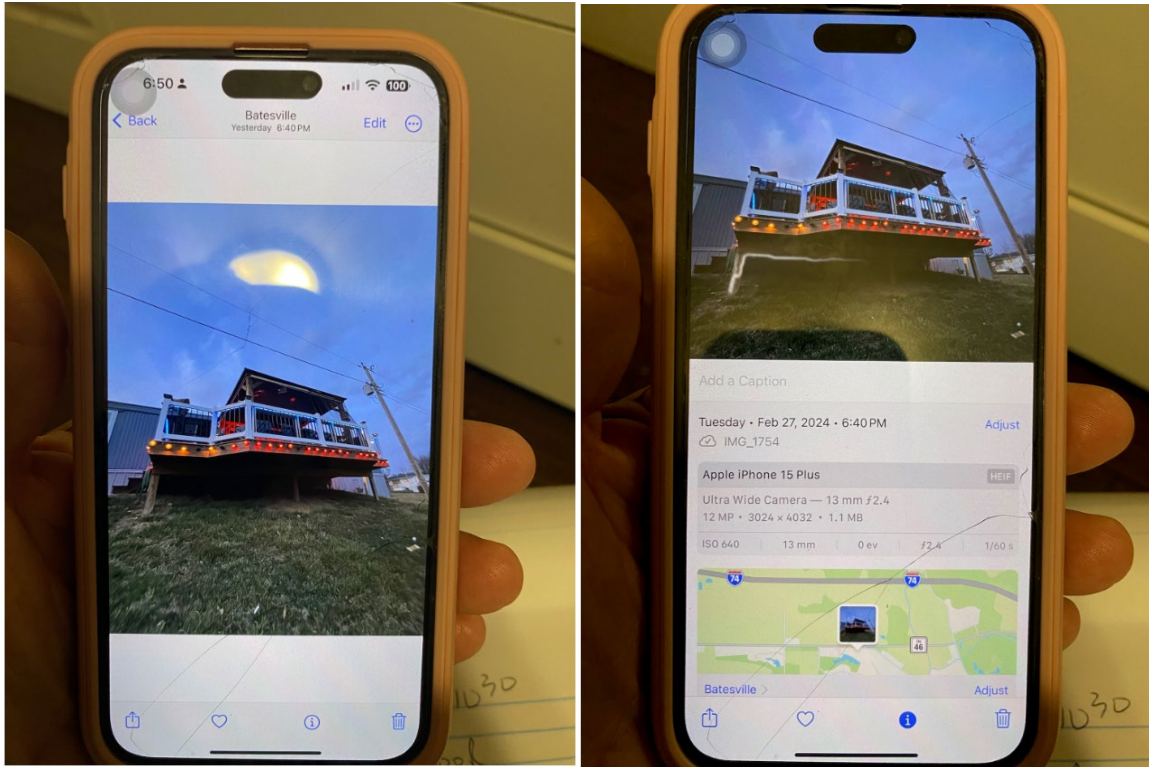
  

CERTIFICATION OF COUNTY TREASURER	
The application to move or transfer title (as indicated above) of above described mobile home has been reviewed and I hereby certify that all taxes due on the mobile home have been paid.	
Signature of County Treasurer	County
<i>[Signature]</i>	RIPLEY

38. Based on my training and experience, communications regarding purchases of properties from titling companies are transmitted via email while preparing for the final transition of property. I believe that reviewing any email history maintained in **CELL PHONE 1** will provide information regarding the purchases of properties, as documentation may have been sent to GAYTAN-GARCIA while he prepared the transaction.

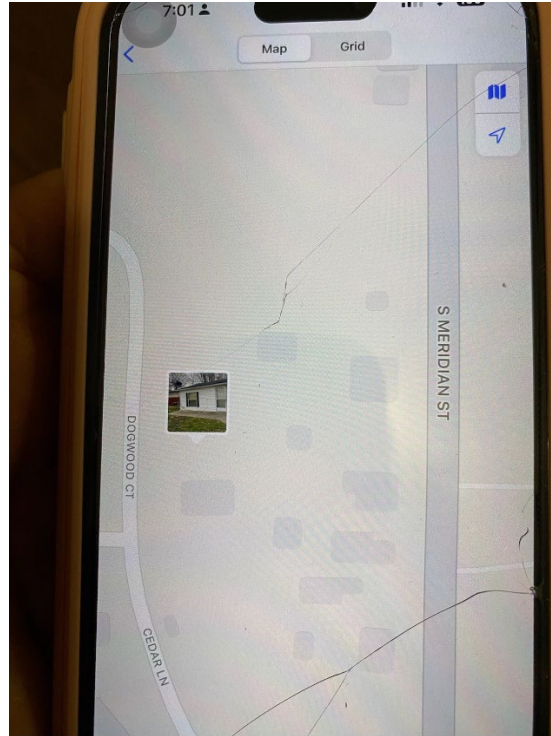
39. Y.G. showed investigators images on her phone of the Batesville property and its location, as shown below:





40. Y.G. showed a video scanning the property in Sunman, IN, and a screen capture of that video is below, in addition to Y.G. showing the location of the trailer:





41. Y.G. also reported that GAYTAN-GARCIA maintained two guns at the Batesville trailer and purchased several gold coins after the Hartford Casino theft in July 2023. Y.G. showed investigators a video of GAYTAN-GARCIA shooting the guns on her phone. A subsequent inventory search of GAYTAN-GARCIA's vehicle on February 28, 2024, recovered two handguns from the truck bed. Additionally, a non-functioning AK-47 and several coin and foreign currency collections were recovered from the search of the Batesville property on February 28, 2024. A screen capture from Y.G.'s phone is provided below:



42. On or around March 7, 2024, a search warrant was obtained for Y.G.'s phone, and preliminary review provided several videos of Y.G. and GAYTAN-GARCIA shooting weapons. I believe that there will be additional videos of similar content that may be recovered from GAYTAN-GARCIA's cellular telephone.

43. Searches of 5927 S. Keeler in Chicago on February 28, 2024, revealed a receipt of several items of jewelry purchased for A.B. in October 2023, as pictured below:



44. Investigators located in a safe in the basement of the 5927 S. Keeler residence. Inside of this safe they found a bundle of \$100 bills with a wrapping reading, “SOFT COUNT, JUL 30 2023, HARTFORD,” as pictured after paragraph 31. This is significant because the date July 30, 2023, is the same date of the Hartford Casino theft and the word “HARTFORD” matches the name of the Hartford Four Winds Casino, where the money was taken on July 30, 2023.

45. Searches of the Batesville and Sunman trailers on February 28, 2024, yielded an AK-47, receipts of money transfers, collections of coins, antique coins, Civil War bills, and foreign currency. The items found were consistent with information provided by Y.G. to law enforcement during her interview at the time of the search warrant of 5927 S. Keeler.

46. GAYTAN-GARCIA'S phone numbers, **773-869-3166** and **812-209-1929**, were activated on June 24, 2023, and September 15, 2023, respectively. These numbers were numbers unknown to investigators until A.B. and Y.G. provided them to investigators during the February 28, 2024 search warrant. Investigators obtained live pings (location information) on the devices assigned to these two phone numbers in order to help law enforcement locate and arrest GAYTAN-GARCIA following the execution of search warrants at his residence. Both numbers showed movement within GAYTAN-GARCIA's neighborhood following the date of the search warrant, and brief movement to Indiana, but returning to the neighborhood within a day prior to GAYTAN-GARCIA's arrest. The phones did not appear to be co-located. On March 4, 2024, investigators tracked GAYTAN-GARCIA on the **812-209-1929** number to a nearby restaurant, where he was arrested. All calling activity on the **812-209-1929** device ceased prior to the arrest, however calls continued to be answered on the **773-869-3166** number following GAYTAN-GARCIA'S arrest. Therefore, there is probable cause to believe that **CELL PHONE 1** likely utilizes the **812-209-1929** phone number. Although this account was activated following the date of the theft, the numerous activities and purchases made by GAYTAN-GARCIA in the months following may be contained on the device.

47. Based upon my training and experience, I am aware that subjects involved in theft and money laundering will often take photographs or videos of stolen money and items they have purchased with said money for two purposes: the first is a "trophy" aspect to document the success of the theft for their self-esteem and the

ability to show others what they have done. The second purpose is to track purchases made from the stolen funds and to be able to show others what they have purchased. There is probable cause that **CELL PHONE 1** will hold evidence related to GAYTAN-GARCIA's theft of the money from Four Winds Casino Hartford on July 30, 2023, including stolen funds and images of items purchased. Because the ongoing investigation has revealed that there were multiple subjects involved in the telephone hoax and theft of funds, I also believe that **CELL PHONE 1** will contain records and communications with associates known and unknown at this time who were involved in the theft.

48. Applications such as WhatsApp and other end-to-end encryption chat platforms that are popular in foreign countries can only have their content accessed on the user device, and evidence of these communications can be maintained on cellular telephone devices until the user deliberately deletes them. I believed that searching **CELL PHONE 1** will assist in identifying other subjects involved in the theft from Hartford Four Winds Casino.

49. GAYTAN-GARCIA was arrested on March 4, 2024, under a federal complaint warrant (24-mj-79). GAYTAN-GARCIA had an initial appearance on that complaint in the North District of Illinois on March 5, 2024.